

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION

JOSEPH E. BLACKBURN, JR. and )  
LINDA C. BLACKBURN, *and all* )  
*similarly situated individuals* )  
Plaintiffs, )

v. )

**JUDGMENT**

No. 2:20-CV-27-FL

DARE COUNTY, TOWN OF NAGS )  
HEAD, TOWN OF DUCK, TOWN OF )  
KILL DEVIL HILLS, TOWN OF MANTEO )  
TOWN OF KITTY HAWK and TOWN )  
OF SOUTHERN SHORES )  
Defendants. )

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of defendants' motions to dismiss.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered September 15, 2020, and for the reasons set forth more specifically therein, defendant County's motion to dismiss for failure to state a claim is GRANTED. Defendant Towns' motion to dismiss for lack of subject matter jurisdiction is GRANTED. Plaintiffs' claims are dismissed.

**This Judgment Filed and Entered on September 15, 2020, and Copies To:**

Lloyd C. Smith, Jr. / Stuart W. Yeoman / Corey A. Finn / Lloyd C. Smith, III (via CM/ECF Notice of Electronic Filing)

Brian F. Castro / Christopher J. Geis (via CM/ECF Notice of Electronic Filing)

Clay Allen Collier / Norwood P. Blanchard, III (via CM/ECF Notice of Electronic Filing)

September 15, 2020

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins  
(By) Sandra K. Collins, Deputy Clerk